



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER COUNCIL

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3434 FAX (603) 271-2982

January 14, 2004



Mark E. Beliveau, Esq.
Pierce Atwood
One New Hampshire Ave, Suite 350
Pease International Tradeport
Portsmouth, NH 03302-03801

Re: Docket No. 04-02 WC – Town of Barrington Appeal

Dear Attorney Beliveau:

The Notice of Appeal of the Department of Environmental Services (“DES”), *December 11, 2003 Findings Relative to the DES Final Decision in the USA Springs Application for a Large Groundwater Withdrawal Permit*, which you filed on behalf of the Town of Nottingham Selectmen, was received in my office on January 9, 2004, and has been assigned **Docket No. 04-02 WC**. Please refer to this docket number in all future correspondences relative to this matter.

On January 14, 2004 the NH Water Council accepted the Notice of Appeal. Water Council Vice Chairman F. Wayne DiMarzio has been designated Presiding Officer in this appeal. Mr. DiMarzio has asked me to inform you that he expects a pre-hearing conference in this matter to be scheduled in the near future. At this pre-hearing conference, the parties should be prepared to discuss simplification of the issues in the appeal, stipulations or admissions as to facts, the number and identity of witnesses the parties anticipate calling at the hearing, exhibits necessary for the appeal, and any other matter that may aid in the disposition of the appeal, including settlement.

Please note that any person filing any document with the Council in conjunction with an appeal is required to file one original and twenty copies with the Council, as well as a copy to all parties who have filed an appearance with the Council, and to any person who has a motion to intervene pending before the Council. When a party has appeared by a representative, service shall be upon the representative. Every document filed with the Council, and required to be served upon the parties to an appeal, shall be accompanied by a certificate of service, signed by the person making service, attesting to the method and date of service, and the persons served.

If you have any questions, please contact me at (603) 271-6072 or by e-mail at msclafani@des.state.nh.us.

Sincerely,

COPY

Michael Sclafani, Appeals Clerk^o
NH Water Council

cc: NH Water Council
Harry T. Stewart, Director, Water Division

Receipt of Petition for Appeal
Docket No. 04-02 WC
January 14, 2004

Brandon Kernen, DES WSE
Richard W. Head, Esq.
Armand M. Hyatt, Esq.